

No.

9800164



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

DXP Technology Holding Corporation

Whereas, THERE HAS BEEN PRESENTED TO THE

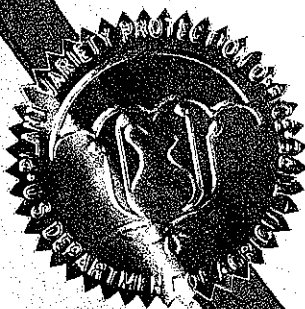
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR PLANT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (34 U.S.C. 2681 AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'DP 5655'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-sixth day of February, in the year two thousand and four.

Attest:

Mark Kermeluz

Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Andrew G. Anderson

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

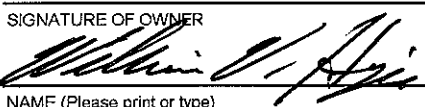
1. NAME OF OWNER D&PL Technology Holding Corporation <i>2004 March 2004</i>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME 93-13946 DPX 8S56		3. VARIETY NAME DP 5655	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) PO Box 157 100 Main Street Scott, Mississippi 38772 USA		5. TELEPHONE (include area code) (662) 742-4141		PVPO NUMBER 9800164	
6. FAX (include area code) (662) 742-3182		7. IF THE OWNER IS NOT A "PERSON" GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware	
9. DATE OF INCORPORATION February 29, 1996		10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Delta and Pine Land Company Kelly Casavechia P.O. Box 157 Scott, MS 38772		FILING AND EXAMINATION FEE: 3/16/1998 \$ 2,450.00 DATE CERTIFICATION FEE: \$ 432.00 DATE 2/6/2004	
11. TELEPHONE (include area code) (662) 742-4141		12. FAX (include area code) (662) 742-3182		13. E_MAIL kelly.h.casavechia@deltapine.com	
14. CROP KIND (Common Name) Soybean		15. GENUS AND SPECIES NAME OF CROP Glycine Max		16. FAMILY NAME (Botanical) Leguminosae	
17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse). a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)	
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO		21. IF "YES" TO ITEM 20, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO - As of date of original application 2/20/98 IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)	
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF OWNER 		SIGNATURE OF OWNER			
NAME (Please print or type) William V. Hugie		NAME (Please print or type)			
CAPACITY OR TITLE Vice President/Director of Research		DATE 10/14/02		CAPACITY OR TITLE	
DATE		DATE			

EXHIBIT A

D&P Technology Holding Corp.'s
 DELTAPINE SEED'S APPLICATION FOR DPX 8S56
 (BT: 12/4/2002)

'DP 5655'
 (BT: 12/4/2002)

9800164

ORIGIN AND BREEDING HISTORY

Summer	1991	Cross 91651 made between A5403 and DP 3589
Winter	1991-92	F ₁ advanced to F ₂ under lights in Costa Rica
Summer	1992	F ₂ advanced to F ₄ by modified single seed descent in Costa Rica
Winter	1993	F ₄ plants grown and threshed separately from cross 91651 in Costa Rica
Summer		
Fall	1993	F ₅ plant rows grown in Scott, MS from cross 91651. Row 93-13946 was composited and was determined to be breeding true ^{uniform and stable} (bt: 11/17/2003 per applicant's request). for characteristics described in "Exhibit C" of this application. There are no known variants ^{that} were observed during this time (bt: 11/17/2003 per applicant's request).
	1994	Line 93-13946 grown in yield tests in 2 Reps at one location
	1995-97	Line 93-13946 grown and evaluated in 33 environments. Designated as DPX 8S56 with 244 bushels of Foundation Seed produced
	1998	DPX 8S56 will be tested in State Experimental Station trials and seed increased further for sale in 1999. 'DP 5655' (BT: 12/4/2002)

EXHIBIT B

~~D&P Technology Holding Corp's~~
~~DELTAPINE SEED'S APPLICATION FOR~~ ^{'DP 5655'}
~~(BT: 12/4/2002)~~ ^(BT: 12/4/2002)

NOVELTY STATEMENT

9800164

To our knowledge ^{'DP 5655'}~~DPX 8S56~~ most resembles DP 3588. Differences include but are not restricted to the following: ^(BT: 12/4/2002)

- 1) ^{'DP 5655' (BT: 12/4/2002)}~~DP 8S56~~ is about 4 days earlier than DP 3588
- 2) ^{'DP 5655' (BT: 12/4/2002)}~~DP 8S56~~ is a root includer of chloride and is sensitive to high chloride soil conditions whereas DP 3588 is a root excluder of chloride and is tolerant to high chloride conditions
- 3) ^{'DP 5655' (BT: 12/4/2002)}~~DP 8S56~~ is susceptible to aerial blight whereas DP 3588 shows good resistance

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

FORM NO. 100-10055

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (*Glycine max* L.)

NAME OF APPLICANT(S) Deltapine Seed D&P Technology Holding Corp. (BT 12/4/2002)	TEMPORARY DESIGNATION 93-13946 DPX 8S56	VARIETY NAME DP 5655 (BT 12/4/2002)
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) 100 Main Street, Scott, MS 38772		FOR OFFICIAL USE ONLY PVPO NUMBER 9800164

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g.,). Started characters * are considered fundamental to an adequate soybean variety description. Other characters should be described when information is available.

1. SEED SHAPE:



1 - Spherical (L/W, L/T, and T/W ratios = < 1.2)
3 - Elongate (L/T ratio > 1.2; T/W = < 1.2)

2 - Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
4 - Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

* 2. SEED COAT COLOR: (Mature Seed)

1 - Yellow 2 - Green 3 - Brown 4 - Black 5 - Other (Specify) _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

1 - Dull ('Corsoy 79'; 'Braxton') 2 - Shiny ('Nebsoy'; 'Gasoy 17')

* 4. SEED SIZE: (Mature Seed)

Grams per 100 seeds

* 5. HILUM COLOR: (Mature Seed)

1 - Buff 2 - Yellow 3 - Brown 4 - Gray 5 - Imperfect Black 6 - Black 7 - Other (Specify) _____

* 6. COTYLEDON COLOR: (Mature Seed)

1 - Yellow 2 - Green

* 7. SEED PROTEIN PEROXIDASE ACTIVITY:

1 - Low 2 - High

* 8. SEED PROTEIN ELECTROPHORETIC BAND:

1 - Type A (SP1^a) 2 - Type B (SP1^b)

* 9. HYPOCOTYL COLOR:

1 - Green only ('Evans'; 'Davis') 2 - Green with bronze band below cotyledons ('Woodworth'; 'Tracy')
3 - Light Purple below cotyledons ('Beeson'; 'Pickett 71')
4 - Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 265A')

* 10. LEAFLET SHAPE:

1 - Lancolate 2 - Oval 3 - Ovate 4 - Other (Specify) _____

11. LEAFLET SIZE:

2

1 - Small ('Amsoy 71'; 'A5312')
3 - Large ('Crawford'; 'Tracy')

2 - Medium ('Corsoy 79'; 'Gasoy 17')

12. LEAF COLOR:

3

1 - Light Green ('Weber'; 'York')
3 - Dark Green ('Gnome'; 'Tracy')

2 - Medium Green ('Corsoy 79'; 'Braxton')

★ 13. FLOWER COLOR:

2

1 - White

2 - Purple

3 - White with purple throat

★ 14. POD COLOR:

1

1 - Tan

2 - Brown

3 - Black

★ 15. PLANT PUBESCENCE COLOR:

2

1 - Gray

2 - Brown (Tawny)

16. PLANT TYPES:

3

1 - Slender ('Essex'; 'Amsoy 71')
3 - Bushy ('Gnome'; 'Govan')

2 - Intermediate ('Amcor'; 'Braxton')

★ 17. PLANT HABIT:

1

1 - Determinate ('Gnome'; 'Braxton')

2 - Semi-Determinate ('Wall')

3 - Indeterminate ('Nebsoy'; 'Improved Pelican')

★ 18. MATURITY GROUP:

0 8

1 - 000

2 - 00

3 - 0

4 - I

5 - II

6 - III

7 - IV

8 - V

9 - VI

10 - VII

11 - VIII

12 - IX

13 - X

★ 19. DISEASE REACTION: (Enter 0 - Not Tested; 1 - Susceptible; 2 - Resistant)

BACTERIAL DISEASES:

★

2

Bacterial Pustule (*Xanthomonas phaseoli* var. *sojensis*)

★

0

Bacterial Blight (*Pseudomonas glycinea*)

★

2

Wildfire (*Pseudomonas tabaci*)

FUNGAL DISEASES:

★

0

Brown Spot (*Septoria glycines*)

Frogeye Leaf Spot (*Cercospora sojina*)

★

Race 1

Race 2

Race 3

Race 4

Race 5

1

Other (Specify)

Races Unknown

0

Target Spot (*Corynespora cassicola*)

0

Downy Mildew (*Peronospora trifoliorum* var. *manshurica*)

0

Powdery Mildew (*Microsphaera diffusa*)

★

0

Brown Stem Rot (*Cephalosporium gregatum*)

2

Stem Canker (*Diaporthe phaseolorum* var. *caulivora*)

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

- ★ ☐ 0 Pod and Stem Blight (*Diaporthe phaseolorum* var. *sojae*)
- ☐ 0 Purple Seed Stain (*Cercospora kikuchii*)
- ☐ 0 Rhizoctonia Root Rot (*Rhizoctonia solani*)
- Phytophthora Rot (*Phytophthora megasperma* var. *sojae*)
- ★ ☐ 1 Race 1 ☐ Race 2 ☐ Race 3 ☐ Race 4 ☐ Race 5 ☐ Race 6 ☐ Race 7
- ☐ Race 8 ☐ Race 9 ☐ Other (Specify) _____

VIRAL DISEASES:

- ☐ 0 Bud Blight (Tobacco Ringspot Virus)
- ☐ 0 Yellow Mosaic (Bean Yellow Mosaic Virus)
- ★ ☐ 0 Cowpea Mosaic (Cowpea Chlorotic Virus)
- ☐ 2 Pod Mottle (Bean Pod Mottle Virus)
- ★ ☐ 2 Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

- Soybean Cyst Nematode (*Heterodera glycines*)
- ★ ☐ 0 Race 1 ☐ 1 Race 2 ☐ 2 Race 3 ☐ 1 Race 4 ☐ 2 Other (Specify) Race 14 = moderately susceptible
(BT312/4/2002 per applicant's corresp. dated 26 Nov, 2002)
- ☐ 0 Lance Nematode (*Hoplaimus Colombus*)
- ★ ☐ 1 Southern Root Knot Nematode (*Meloidogyne incognita*)
- ★ ☐ 0 Northern Root Knot Nematode (*Meloidogyne Hapla*)
- ☐ 1 Peanut Root Knot Nematode (*Meloidogyne arenaria*)
- ☐ 0 Reniform Nematode (*Rotylenchulus reniformis*)
- ☐ OTHER DISEASE NOT ON FORM (Specify): _____

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

- ★ ☐ 0 Iron Chlorosis on Calcareous Soil
- ☐ 1 Other (Specify) Sensitive to High Chloride Soils

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

- ☐ 0 Mexican Bean Beetle (*Epilachna varivestis*)
- ☐ 2 Potato Leaf Hopper (*Empoasca fabae*)
- ☐ Other (Specify) _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	DP 3588	Seed Coat Luster	/DP 3588
Leaf Shape	DP 3588	Seed Size	A5980
Leaf Color	DP 3588	Seed Shape	A5980
Leaf Size	DP 3588	Seedling Pigmentation	DP 3588

EXHIBIT D

~~D&P Technology Holding Corp's~~
~~DELTA PINE SEED'S APPLICATION FOR~~ 'DP 5655'
(BT: 12/4/02) <DPX 8S56>
(BT: 12/4/02)

ADDITIONAL DESCRIPTION OF VARIETY

*DP 5655' (BT: 12/4/2002)
<DPX 8S56> is an F₄ selection composited in the F₅ generation from the cross A5403 x DP 3588 with tall plants adapted to early or late planting. It has averaged 4% higher yield than DP 3588 in company tests across the South. <DPX 8S56> is resistant to stem canker and soybean mosaic virus. It is resistant to race 3 and moderately susceptible to race 14 (per corresp. recd. 11/27/02). It is moderately susceptible to aerial blight and root knot nematode. <DPX 8S56> has purple flowers, tawny pubescence and tan pods. Seeds average 3100 per pound and are shiny yellow with black hila..

9800164

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) D&PL TECHNOLOGY HOLDING CORP.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER 93-13946 DPX 8S56	3. VARIETY NAME DP 5655
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) P.O. BOX 157 SCOTT, MISSISSIPPI 38772	5. TELEPHONE (Include area code) 662.742.4141	6. FAX (Include area code) 662.742.3182
7. PVPO NUMBER		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (If needed, use the reverse for extra space):

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotapes, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

EXHIBIT E

~~DP Technology Holding Corp.'s~~
~~DELTA PINE SEED'S APPLICATION FOR DPX 8S567~~
(BT:12/4/2002)

¹ DP 5655' (BT:12/4/02)

STATEMENT OF APPLICANT'S OWNERSHIP

¹ DP 5655
(BT:12/4/02) DPX 8S567 was originated and developed by Grover Shannon, Ph.D., soybean breeder, Delta and Pine Land Company, dba Deltapine Seed. By agreement between employee and Delta and Pine Land Company, all rights to any invention or discovery are assigned to the Company. No rights to any invention or discovery are retained by the employee.

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